



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/569,172

02/22/2006

Jonathan R. Piesing

GB030153

7875

24737

7590

09/16/2008

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

CHOKSHI, PINKAL R

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

09/16/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/569,172	PIESING, JONATHAN R.	
	Examiner	Art Unit	
	PINKAL CHOKSHI	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 April 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over US PG Pub 2003/0079225 to Peising et al (hereafter referenced as Piesing) in view of US PG Pub 2003/0200554 to Noetsele et al (hereafter referenced as Noetsele).

Regarding **claim 1**, “a method of monitoring a broadcast signal (28)” reads on the method where the broadcast signal is monitored for an identification signal (abstract) disclosed by Piesing and represented in Fig. 1.

As to “method comprising receiving (200) a broadcast signal (28)” Piesing discloses (¶0024) that the receiver receives broadcast signals as represented in Fig. 1 (elements 28 and 34).

As to “monitoring (202) the broadcast signal (28) for an identification signal (24)” Piesing discloses (¶0021 and ¶0024) that the identification signal included in broadcast signal is monitored by the receiver for the presence of the identification signal.

As to “pausing (204) the timebase (23) if the identification signal (24) is not present” Piesing discloses (¶0025) that when identification signal is not present

in broadcast signal, receiver interrupts by pausing an internal timebase of the interactive application.

As to “the broadcast signal (28) including a timebase (23)” Piesing discloses (¶0020) that the interactive application transmitted to receiver is part of the data portion that is part of the broadcast signal. Piesing further discloses (¶0025) that the possible interruption includes pausing an internal timebase received in receiver. Piesing meets all the limitations of the claim except he does not explicitly teach “a timebase is included in the broadcast signal.” However, Noetsele discloses (¶0039 and ¶0040) that the timing stream is included with the broadcast signal as represented in Fig. 3. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Piesing’s system by adding time stream in the broadcast signal as taught by Noetsele so the display of enhanced content is synchronized with a video or other timing signal to which it is related (¶0010).

Regarding **claim 2**, “a method wherein the broadcast signal (28) comprises a video component (18), an audio component (20), and a data component (22)” Piesing discloses (¶0019) that the audio, video and data components are multiplexed in multiplexer as represented in Fig. 1 (elements 18, 20, 22).

Regarding **claim 3**, “a method wherein the timebase (23) is a portion of

the data component (22) of the broadcast signal (28)” Piesing discloses (§0020) that the interactive application transmitted to receiver is part of the data portion that is part of the broadcast signal. Piesing further discloses (§0025) that the possible interruption includes pausing an internal timebase received in receiver. Piesing does not explicitly teach that the timebase is a portion of the data component. Noetsele discloses (§0039 and §0040) that the timing stream is included with the broadcast signal as represented in Fig. 3. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Piesing’s system by adding time stream in the broadcast signal as taught by Noetsele so the display of enhanced content is synchronized with a video or other timing signal to which it is related (§0010).

Regarding **claim 4**, “a method wherein the broadcast signal (28) is a digital signal (28) and the identification signal (24) is present in the data component (22) of the broadcast signal (28)” Piesing discloses (§0010) that the broadcast signal is a digital signal. Piesing further discloses (§0019) that the identification signal is produced by device 26 with data component and other data to generate broadcast signal.

Regarding **claim 5**, “a method wherein the broadcast signal is an analogue signal and the identification signal is present in the vertical blanking interval of the broadcast signal” Piesing discloses (§0029) that the broadcast

signal is an analog signal with the identification signal is presented in VBI of the broadcast signal.

Regarding **claim 6**, “a method further comprising restarting (206) the timebase (23), once the identification signal (24) is present” Piesing discloses (¶0025) that the interruption will be suspended when the identification signal is returned.

Regarding **claim 7**, “a method wherein the identification signal (24) is present in the normal data structures describing the video component (22) of the broadcast signal (28)” Piesing discloses (¶0021, ¶0024, ¶0025) that the identification signal is carried in the video signal which describes its component by above mentioned operation.

Regarding **claim 8**, “apparatus for monitoring a broadcast signal (28)” reads on the receiver where the broadcast signal is monitored for an identification signal (abstract) disclosed by Piesing and represented in Fig. 1.

As to “apparatus comprising receiving means (36) for receiving the broadcast signal (28)” Piesing discloses (¶0024) that the receiver receives broadcast signals as represented in Fig. 1 (elements 28 and 34).

As to “monitoring means (38) for monitoring the broadcast signal (28) for an identification signal (24)” Piesing discloses (¶0021 and ¶0024) that the

identification signal included in broadcast signal is monitored by the receiver for the presence of the identification signal.

As to “for pausing the timebase (23) if the identification signal (24) is not present” Piesing discloses (¶0025) that when identification signal is not present in broadcast signal, receiver interrupts by pausing an internal timebase of the interactive application.

As to “the broadcast signal (28) including a timebase (23)” Piesing discloses (¶0020) that the interactive application transmitted to receiver is part of the data portion that is part of the broadcast signal. Piesing further discloses (¶0025) that the possible interruption includes pausing an internal timebase received in receiver. Piesing meets all the limitations of the claim except he does not explicitly teach “a timebase is included in the broadcast signal.” However, Noetsele discloses (¶0039 and ¶0040) that the timing stream is included with the broadcast signal as represented in Fig. 3. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Piesing’s system by adding time stream in the broadcast signal as taught by Noetsele so the display of enhanced content is synchronized with a video or other timing signal to which it is related (¶0010).

Regarding **claim 9**, apparatus wherein the signal (28) comprises a video component (18), an audio component (20), and a data component (22)” Piesing

discloses (§0019) that the audio, video and data components are multiplexed in multiplexer as represented in Fig. 1 (elements 18, 20, 22).

Regarding **claim 10**, “apparatus wherein the timebase (23) is a portion of the data component (22) of the broadcast signal (28)” Piesing discloses (§0020) that the interactive application transmitted to receiver is part of the data portion that is part of the broadcast signal. Piesing further discloses (§0025) that the possible interruption includes pausing an internal timebase received in receiver. Piesing does not explicitly teach that the timebase is a portion of the data component. Noetsele discloses (§0039 and §0040) that the timing stream is included with the broadcast signal as represented in Fig. 3. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Piesing’s system by adding time stream in the broadcast signal as taught by Noetsele so the display of enhanced content is synchronized with a video or other timing signal to which it is related (§0010).

Regarding **claim 11**, “apparatus wherein the receiving means (36) and the monitoring means (38) are portions of an integrated circuit” Piesing discloses (§0026) that the receiving means and monitoring means are part an integrated circuit.

Regarding **claim 12**, “apparatus wherein the apparatus is a digital

Art Unit: 2623

television receiver (34)” Piesing discloses (§0023) that the apparatus is a receiver as represented in Fig. 1 (element 34).

Regarding **claim 13**, “apparatus wherein the monitoring means (38) is arranged to restart the timebase (23), once the identification signal (24) is present” Piesing discloses (§0025) that the interruption will be suspended when the identification signal is returned.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PINKAL CHOKSHI whose telephone number is (571) 270-3317. The examiner can normally be reached on Monday-Friday 8 - 5 pm (Alt. Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PRC/

/Brian T. Pendleton/

Supervisory Patent Examiner, Art Unit 2623